

MONIKA ONA BILERIS, ESQ.

212 WEST 104 STREET, #4D • NEW YORK, NY 10025
TEL (817) 826-4588 • FAX: (443) 587-0452

E-MAIL: MONIKA.BILERIS@GMAIL.COM

By fax

Hon. Victor Marrero
Suite 660
United States Courthouse
500 Pearl Street
New York, NY 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: 7-6-07
DATE FILED: 7-6-07

RE: Veiga v. United Nations, et al., 07 CV 3182 (VM)

July 6, 2007

Dear Judge Marrero:

As you may recall, I am counsel for the plaintiff in the above entitled case. I enclose for your convenience a letter that was copied to me from the Swiss Foreign Ministry concerning the subject case, which original letter was addressed to the proper Court, but which was not expressly addressed to you.

Given the assertions contained therein, I feel impelled to explain my actions to the Court. After filing the complaint in this matter with the Court on or about 20 April 2007, we were in the process of having the complaint and summons translated into French in order to serve same pursuant to the Hague Convention on Civil Service, referenced in the attached letter. However, in view of your order of 7 May 2007 dismissing the action on the grounds of *forum non conveniens* (which concern of the Court was first notified to the plaintiff on or about 26 April 2007), in the interest of efficiency and in order to save plaintiff expenses, we suspended our intention to serve the complaint and summons on the defendants pursuant to said Hague Convention, the action having already been dismissed by the Court.

However, in view of the Court's offer contained in its written dismissal order of 7 May 2007, upon written application of the plaintiff, to make the dismissal of the action conditional upon the waiver by the defendants of their jurisdictional and statute of limitation rights in Switzerland, on or about 17 May 2007, the plaintiff filed a motion to Amend or Alter Judgment pursuant to FRCP 59(d), taking up the Court's offer contained in its said order of 7 May, and expressly asking the Court to make its dismissal so conditioned. Pursuant to FRCP 4, I served a copy of said motion on all the named defendants by sending a copy of same to them by regular first class mail. Said motion is still pending before this Court awaiting disposition.

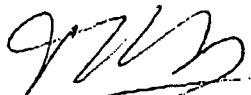
I doing so, I was simply trying to comply with my obligations under FRCP 4, and had no idea that my action might contravene Swiss law or be deemed inappropriate by the Swiss authorities.

In any event, by this letter, I would respectfully ask the Court for specific instructions as to how next proceed so as to comport with my obligations under the Federal Rules of Civil Procedure without further violating the asserted sovereignty of Switzerland. The plaintiff stands ready to have the summons and complaint translated into French and properly served upon the subject defendants in accord with the said Hague Convention on Service of Civil Process, but is not inclined to do so without the express direction of the Court.

In view of the attached, I have not served the attached on the defendants, but again, will do so upon instruction of this Court.

Thank you for your attention to the foregoing; it is much appreciated.

Sincerely,



Monika Ona Bileris, Esq.
[MB1121]

<p>In proposing conditions on the dismissal of this action the Court assumed that defendants would be properly served with notice of the action and the Court's Order in a manner complying with all applicable laws and rules. The Court will hold no further consideration of plaintiff's motion until defendants</p> <p>SO ORDERED: have been properly served and have filed a notice of appearance.</p> <p>7-6-07</p>	
DATE	VICTOR MARRERO, U.S.D.J.

